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BY ECF

The Honorable Peggy Kuo
United States Magistrate Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Lilya Pilipenko, et al. v. City of New York, et al., 15 Civ. 6053 (NG)(PK)

Your Honor:

I am a Senior Counsel in the Special Federal Litigation Division of the New York City Law Department and the attorney recently assigned to the defense of the above-referenced matter on behalf of defendants City of New York, Richard Moore, Krzysztof Koncewicz, Kaiyuen Leung, Yevgeniy Ivankovskiy, Craig Melamed, Nicholas Felix and Michael Spessard. Defendants write to respectfully request an adjournment of the Second Settlement Conference scheduled for January 12, 2017 at 10:30 a.m. until February 8, 2017 or February 10, 2017. This is the first request for an adjournment of the Second Settlement Conference. Counsel for plaintiffs consent to this request and are available on the aforementioned dates.

There are several reasons for granting an adjournment of the conference. As Your Honor may recall, the Court held a settlement conference in this matter on December 7, 2016. Although the parties were unable to reach an agreement at the conference, the parties agreed to convene for a Second Settlement Conference, which the Court scheduled for January 12, 2017. Since that time the former Assistant Corporation Counsel assigned to this matter has resigned from this office, and the matter was recently assigned to the undersigned, who filed his Notice of Appearance today. The undersigned has been reviewing the file and has been in communication both with plaintiffs' counsel and with the former Assistant Corporation Counsel assigned to this matter regarding the status of settlement discussions. In an effort to engage in good-faith settlement discussions at the Second Settlement Conference, however, the undersigned requires additional time to confer with his client regarding the current status of settlement discussions and authority.

Accordingly, for the reasons set forth herein, defendants respectfully request that the Court adjourn the Second Settlement Conference scheduled for January 12, 2017 at 10:30 a.m. until February 8, 2017 or February 10, 2017.

Defendants thank the Court for its time and consideration of the within request.

Respectfully submitted,

/s/

Philip S. Frank
Senior Counsel

cc: (all parties) Via ECF